

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Natsuhiko MORI et al

Serial No.: 09/320,649

Atty. Docket No.: 100725-09009

Filed: May 27, 1999

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

RENEWED PETITION UNDER 37 C.F.R. 1.137(b)

**Mail Stop PETITION**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

June 2, 2008

Sir:

In response to the Decision on Petition to Revive Unintentional Abandonment under 37 C.F.R. 1.137(b) dated March 31, 2008, Applicants respectfully request that the Examiner reconsider his decision dismissing the Petition to Revive based upon unintentional abandonment in view of the attached materials and the following remarks.

It should be noted that contrary to the statement in the last full paragraph on page 1 of the Decision, the undersigned did in fact make the statement that the entire delay was unintentional in the Petition filed January 8, 2008.

The facts to support petitioner's statement that the abandonment was unintentional are as follows:

1. A Request for Continued Examination and Information Disclosure Statement were filed on March 23, 2001, in response to the outstanding final Office Action dated November 30, 2000.
2. On or about May 22, 2001, the undersigned submitted by e-mail a spreadsheet listing all cases which were to be associated with Customer Number 004372 and in which the undersigned's address was to be changed. Attached as Exhibit A is page 8 of this spreadsheet where the subject application is listed. The undersigned's new address and Customer Number Record change was of record under Customer Number 004372 as of January 31,

2001, a copy of the Notice of Customer Number Record Change is attached as Exhibit B.

3. Receiving no response or further action from the Patent and Trademark Office in response to Item #1 above, on August 9, 2005, a Change of Correspondence Address was filed via facsimile. Attached hereto as Exhibit C is a copy of the Change of Correspondence Address with facsimile transmission sheet and the transmission acknowledgement sheet.
4. Further on August 10, 2005, a Request for Status and Information Disclosure Statement were filed. Attached hereto as Exhibit D is a copy of the Request for Status and Information Disclosure Statement along with a copy of the stamped postcard receipt.
5. Still receiving no response or action from the Patent and Trademark Office in response to either #1 or #4 above, a Petition to Withdraw the Holding of Abandonment with Exhibits was filed on October 23, 2006. Attached as Exhibit E is copy of the Petition to Withdraw the Holding of Abandonment along with a copy of the stamped postcard receipt.
6. Still not receiving a response or action from the Patent and Trademark Office in response to either #1, #4 or #5 above, on February 23, 2007, a Petition to Withdraw the Holding of Abandonment with Exhibits (Second Filing) was filed. Attached as Exhibit F is a copy of the Petition to Withdraw the Holding of Abandonment (Second Filing) with Exhibits along with a copy of the stamped postcard receipt.
7. On November 13, 2007, the Petitions Office issued a Decision dismissing the Petition to Withdraw the Holding of Abandonment.
8. In response to the Decision by the Petitions Office, a Petition to Revive Unintentional Abandonment with the appropriate Amendment in response to the Office Action of April 11, 2001, was submitted on January 8, 2008.

Applicants hereby submit that the abandonment of the above-identified application resulted from the Patent and Trademark Office's failure to mail the non-final Office Action to the correct address. Since the failure to file a response to the non-final Office Action resulted from a Patent and Trademark Office error, it is respectfully

submitted that the revival of the subject application based upon unintentional abandonment is proper.

The abandonment of the above-identified application on March 29, 2002, resulted from Applicant's failure to respond to an outstanding non-final Office Action. Applicants did not respond to the non-final Office Action because Applicants never received the non-final Office Action. Applicants' attorneys have made a careful search of the entire file jacket for the subject application and the non-final Office Action was not present. A review of the docket records also indicate that the non-final Office Action was never received.

Attached as Exhibit G is a copy of the private PAIR page from the U.S. Patent and Trademark Office website for the subject application (access to which only became available for this application recently). It is noted that on April 26, 2001, there is a notation stating "Correspondence Address Change". Also on that date there are two separate notations of a "Letter Restarting Period for Response" and "Mail Notice of Restarted Response Period". It is respectfully submitted that the undersigned did not receive either of these papers, although it appears that a change to the correspondence address was received and made of record, prior to these papers being sent out.

In addition, as indicated in Item #2, the undersigned submitted by e-mail on or about May 22, 2001, a spreadsheet listing applications for which the undersigned's address was to be changed. Upon submission of the change of address, the Patent and Trademark Office should have changed the mailing address for the above-identified application. In view of this, it is questioned why the Notice of Abandonment dated March 29, 2002, was mailed to the old address.

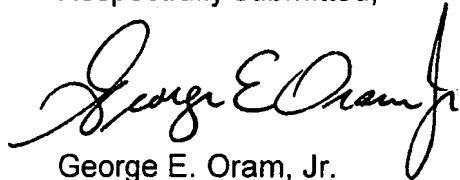
With regard to the delay in filing the first Petition to Withdraw the Holding of Abandonment, in previous years it was not unusual that the Patent and Trademark Office would take a considerable amount of time before issuing further actions after the filing of a document, and there was no manner in which the records of the Patent and Trademark Office could be accessed to check. Thus the filing of the Request for Status on August 10, 2005, is not seen as a lack of interest in the application by the undersigned.

Based upon the facts set forth above, the undersigned submits that there were good-faith attempts made in advising the Patent and Trademark Office of the undersigned's new address and obtaining the status of the application, however the unresponsiveness on the part of the Patent and Trademark Office contributed to the delay in filing the Petition to Revive based upon unintentional abandonment.

As required in the Decision, attached hereto are Declarations for Renewed Petition to Revive Unintentionally Abandoned Patent Application by George E. Oram, Jr. and Murat Ozgu, persons having knowledge of the circumstances surrounding the unintentional abandonment of the subject application.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300, referencing Atty. Docket No. 100725-09009.

Respectfully submitted,



George E. Oram, Jr.  
Reg. No. 27,931

Customer No.: 004372  
Arent Fox LLP  
1050 Connecticut Avenue, N.W.  
Suite 400  
Washington, D. C. 20036-5339  
Tel (202) 857-6000  
Fax (202) 638-4810

GEO:mmg

Encls:

- Exhibit A Page 8 of Spreadsheet submitted with e-mail communication for change of name and address
- Exhibit B Notification of Customer Number Record Change dated January 31, 2001
- Exhibit C Change of Correspondence Address sent via facsimile on August 9, 2005, w/facsimile sent acknowledgement sheet
- Exhibit D Request for Status and Information Disclosure Statement filed August 10, 2005, w/stamped postcard receipt
- Exhibit E Petition to Withdraw the Holding of Abandonment filed on October 26, 2006, w/stamped postcard receipt

Exhibit F Petition to Withdraw the Holding of Abandonment (Second Filing) filed on February 23, 2007, w/stamped postcard receipt

Exhibit G PTO Private PAIR webpage

Declaration for Renewed Petition to Revive Unintentionally Abandoned Patent Application by George E. Oram, Jr., w/Exhibits A, B and C

Declaration for Renewed Petition to Revive Unintentionally Abandoned Patent Application by Murat Ozgu, w/Exhibits A and B

09386450	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW SUITE 330 WASHINGTON DC
09431226	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09381286	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09463394	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09500532	Nikaido Marmelstein Murray & Oram	Metropolitan Square 655 Fifteenth Street NW Washington DC
60003248	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE SUITE 330-G STREET LOBBY WASHINGTON DC
60012912	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET WASHINGTON DC
60047997	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET WASHINGTON DC
60069535	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET SUITE 330 WASHINGTON DC
09431228	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
09441061	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09440287	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
60162207	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET WASHINGTON DC
09437755	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
09455912	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09343406	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09334066	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE SUITE 330 - G STREET LOBBY WASHINGTON DC
09320852	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
09320849	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 15TH STREET, N.W. WASHINGTON DC
09422085	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE SUITE 330-G STREET LOBBY WASHINGTON DC
09399960	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09351296	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
08776188	NIKAIDO MARMELSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
08779076	NIKAIDO MARMELSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
089113103	NIKAIDO MARMELSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
08973398	NIKAIDO MARMELSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
09134985	NIKAIDO MARMELSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09445433	NIKAIDO MARMELSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
0926190	NIKAIDO MARMELSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09147036	NIKAIDO MARMELSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09331590	NIKAIDO MARMELSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
09142060	NIKAIDO MARMELSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
08966854	NIKAIDO MARMELSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE SUITE 330-G STREET LOBBY WASHINGTON DC
09359405	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09321764	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09437303	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NE WASHINGTON DC
08097621	NIKAIDO, MARMELSTEIN, MURRAY & ORAM	METROPOLITAN SQUARE STE. 330 - G STREET LOBBY WASHINGTON DC

**Drosos, Margaret**

**From:** Drosos, Margaret  
**Sent:** Tuesday, May 29, 2001 2:45 PM  
**To:** 'Stacy.Fuller@USPTO.GOV'  
**Subject:** RE: Error Report for Customer Number 04372

OK Sorry for the error.

-----Original Message-----

From: Stacy.Fuller@USPTO.GOV [mailto:Stacy.Fuller@USPTO.GOV]  
Sent: Tuesday, May 29, 2001 2:18 PM  
To: DrososM@ARENTFOX.COM  
Subject: RE: Error Report for Customer Number 04372

Thank you for your response. Unfortunately we asked that you email me the list of applications/patents that you DO NOT wish to be associated with your customer number and that you not delete any applications from the spreadsheet. I have to go to your original spreadsheet and remove the applications that you do not wish to be associated. Please resend the error report with these applications clearly noted.

Thank you for your assistance.

Stacy

> -----Original Message-----

> From: DrososM@ARENTFOX.COM [SMTP:DrososM@ARENTFOX.COM]  
> Sent: Tuesday, May 29, 2001 2:15 PM  
> To: Stacy.Fuller@USPTO.GOV  
> Subject: RE: Error Report for Customer Number 04372  
>

> I have edited your error report so as to only included those applications  
> for Nikaido, Marmelstein, Murray & Oram. This firm at Metropolitan Square  
> merged with Arent Fox at the 1050 Connecticut Ave. address last year.

> Thank

> you for your attention to this. We have had several PTO papers returned  
> to  
> the PTO by Post Office, even though we have a current change of address on  
> file.

>

> Margaret P. Drosos  
> Director of IP Administration  
> Arent Fox Kintner Plotkin & Kahn, PLLC  
> 202 857-6463  
> Drososm@arentfox.com  
>

> -----Original Message-----

> From: Stacy.Fuller@USPTO.GOV [mailto:Stacy.Fuller@USPTO.GOV]  
> Sent: Tuesday, May 22, 2001 1:10 PM  
> To: DrososM@ARENTFOX.COM  
> Subject: Error Report for Customer Number 04372  
>  
>

> I have received your spreadsheet to associate your applications/patents  
> with  
> your customer number, and there are just a few more questions. There are  
> a  
> few files that are currently going to a different address for  
> correspondence  
> and we just have to do a little preventative maintenance to be absolutely

**EXHIBIT B**

> sure that you do, in fact, want to update these files to your customer  
> number.  
>  
> Please take a look at the attached spreadsheet, which lists the  
> "questionable" applications. Once you have verified whether or not you  
> wish  
> to associate these applications/patents with your customer number, please  
> mark them as such on the attached spreadsheet (i.e., yes/no) and email it  
> back to me, or simply email me the list of applications/patents that you  
> DO  
> NOT wish to be associated with your customer number. Please DO NOT delete  
> any applications from the spreadsheet.  
>  
> If there are NO changes to be made, you can just email me back to let me  
> know that it is ok to associate all files with your customer number.  
>  
> <<04372Cusno\_Error(1).xls>>  
> <<File: Error Report.xls >>

\* \* \* COMMUNICATION RESULT REPORT ( AUG. 9. 2005 3:18PM ) \* \* \*

TTI ARENT FOX DC5

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
2572 MEMORY TX		1549#100725#09009#15712738300#	OK	2/2

REASON FOR ERROR  
E-1) HANG UP OR LINE FAIL  
E-3) NO ANSWER

E-2) BUSY  
E-4) NO FACSIMILE CONNECTION

## Facsimile

**Arent Fox**  
ATTORNEYS AT LAW

Date: August 9, 2005

George E. Oram, Jr.  
202.828.3455 DIRECT  
202.857.6395 FAX  
oram.george@arentfox.com

Pages (including cover): 2

Attorney #: 1549

Client/Matter #: 100725-09009

**PLEASE DELIVER TO:**

Name/Company	Fax #	Verify #
U.S. Patent and Trademark Office	571-273-8300	

**MESSAGE/INSTRUCTIONS**

Re: Change of Correspondence Address  
U.S. Patent Appln. S.N. 09/320,649  
For: HYDRODYNAMIC TYPE OIL-IMPREGNATED  
SINTERED BEARING  
By: Natsuhiko MORI et al  
Our Ref: 100725-09009

EXHIBIT C

# Facsimile

**Arent Fox**  
ATTORNEYS AT LAW

**Date:** August 9, 2005

**Pages (including cover):** 2

**Attorney #:** 1549

**Client/Matter #:** 100725-09009

**George E. Oram, Jr.**  
202.828.3455 DIRECT  
202.857.6395 FAX  
oram.george@arentfox.com

**PLEASE DELIVER TO:**

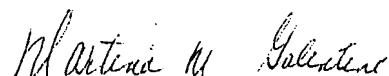
<b>Name/Company</b>	<b>Fax #</b>	<b>Verify #</b>
U.S. Patent and Trademark Office	571-273-8300	

**MESSAGE/INSTRUCTIONS**

Re: **Change of Correspondence Address**  
U.S. Patent Appln. S.N. 09/320,649  
For: HYDRODYNAMIC TYPE OIL-IMPREGNATED  
SINTERED BEARING  
By: Natsuhiko MORI et al  
Our Ref: 100725-09009

**CERTIFICATE OF TRANSMISSION**

I hereby certify that the attached Change of Correspondence Address is being transmitted by facsimile to the U.S. Patent and Trademark Office, facsimile number 571-273-8300 on this date of my signature.



Martina M. Galentine

August 9, 2005

(Date)

PLEASE CALL OUR FAX OPERATOR AS SOON AS POSSIBLE IF TRANSMISSION IS NOT COMPLETE: 202.857.6119

This facsimile contains privileged and confidential information intended only for the use of the addressee(s) named above. If you are not the intended recipient of this facsimile, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone and return the original facsimile to us at the address below via the postal service. Thank you.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CHANGE OF  
CORRESPONDENCE ADDRESS  
APPLICATIONAddress to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Application Number	09/320,649
Filing Date	May 27, 1999
First Named Inventor	Natsuhiko MORI et al
Group Art Unit	3682
Examiner Name	L. Footland
Attorney Docket Number	100725-09009

Please change the Correspondence Address for the above-identified patent application to:

The address associated with  
Customer Number:

004372

OR

Firm or  
Individual Name

AREN'T FOX PLLC

Address

1050 Connecticut Avenue, N.W.  
Suite 400

City

Washington

State

D.C.

Zip

20036-5339

Country

Telephone

202-857-6000

Email

dcipdocket@arentfox.com

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

- Applicant/Inventor.
- Assignee of record of the entire interest.  
Statement under 37 C.F.R. 3.73(b) is enclosed (Form PTO/SB/96).
- Attorney or agent of record. Registration Number: 27,931
- Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 C.F.R. 1.33(a)(1). Registration Number: \_\_\_\_\_

Signature

Typed or  
Printed Name

George E. Oram, Jr.

Date

August 9, 2005

Telephone

202-857-6000

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representatives(s) are required. Submit multiple forms if more than one signature is required, see below\*.

 \*Total of 1 form(s) are submitted.

This collection of information is required by 37 C.F.R. §1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. §122 and 37 C.F.R. §1.11 and §1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

Patent  Trademark  Docket No. 100725-09009

Serial No. 09/320,649 Filed May 27, 1999

Applicant(s) MORI, et al.

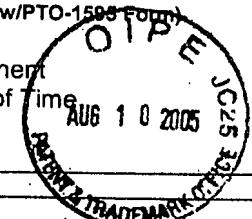
Papers filed herewith on August 10, 2005

<input type="checkbox"/> Fees \$ <u>Ck #</u>	<input type="checkbox"/> Assignment (w/PTO-1595 Form)
<input type="checkbox"/> New Application	<input type="checkbox"/> Declaration
<input type="checkbox"/> Amendment	<input type="checkbox"/> Priority Document
<input type="checkbox"/> Notice of Appeal	<input type="checkbox"/> Req. for Ext. of Time
<input type="checkbox"/> IDS/PTO-SB08	<input type="checkbox"/> Drawing(s)
<input checked="" type="checkbox"/> Other <u>Status Check</u>	

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above-identified case.

GEO:mso

COMMISSIONER OF PATENTS



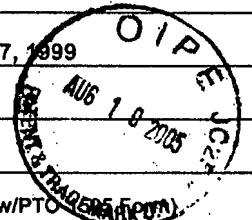
Patent  Trademark  Docket No. 100725-09009

Serial No. 09/320,649 Filed May 27, 1999

Applicant(s) MORI, et al.

Papers filed herewith on August 10, 2005

<input checked="" type="checkbox"/> Fees \$ <u>180.00 Ck # 431343</u>	<input type="checkbox"/> Assignment (w/PTO-1595 Form)
<input type="checkbox"/> New Application	<input type="checkbox"/> Declaration
<input type="checkbox"/> Amendment	<input type="checkbox"/> Priority Document
<input type="checkbox"/> Notice of Appeal	<input type="checkbox"/> Req. for Ext. of Time
<input checked="" type="checkbox"/> IDS/PTO-SB08 (6 Refs.)	<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Other	



Receipt is hereby acknowledged of the papers filed as indicated in connection with the above-identified case.

GEO:mso

COMMISSIONER OF PATENTS

EXHIBIT D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MORI, et al.

Confirmation No.: Unknown

Serial No.: 09/320,649

Group Art Unit: 3682

Filed: May 27, 1999

Examiner: L. Footland

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

REQUEST FOR STATUS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

August 10, 2005

Sir:

On May 27, 1999, the above-identified application was filed in the U. S. Patent and Trademark Office. To date, there has been no further action received since the Request for Continued Examination filed on March 23, 2001.

In view of the above, it is respectfully requested that the undersigned be provided with the current status of the subject application as soon as possible.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300.

Respectfully submitted,  
**SIGNATURE ON ORIGINAL**

George E. Oram, Jr.  
Attorney for Applicants  
Reg. No. 27,931

Atty. Docket No.: 100725-09009

Customer No.: 004372  
Arent Fox PLLC  
1050 Connecticut Avenue, N.W.  
Suite 400  
Washington, D. C. 20036-5339  
Tel (202) 857-6000  
Fax (202) 638-4810

GEO:mso

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

MORI, et al.

Group Art Unit: 3682

Application No.: 09/320,649

Examiner: L. Footland

Filed: May 27, 1999

Atty. Dkt. No.: 100725-09009

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

August 10, 2005

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information item(s) listed on the attached Form PTO-SB08. Unless otherwise indicated herein, one copy of each item(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the item(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date or the date of filing a CPA, OR (b) before the mailing date of a first Office Action on the merits in the present application, or (c) accompanies a Request for Continued Examination. No certification or fee is required.
- 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

c. A check in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.

3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Attached is our check in the amount of \$130.00 in payment of the petition fee under 37 CFR §1.17(i)(1). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.

a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

4. The relevance of the non-English language reference(s) were cited in an Office Action of corresponding Japanese application. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination of the present application.

Respectfully submitted,

**SIGNATURE ON ORIGINAL**

George E. Oram, Jr.  
Registration No. 27,931

Customer No. 004372  
Arent Fox PLLC  
1050 Connecticut Avenue, N.W., Suite 400  
Washington, D.C. 20036-5339  
Tel: (202) 857-6000  
Fax: (202) 638-4810

GEO:mso

Enclosures: Form PTO-SB08; References (6)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO		Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <b>Form PTO/SB/08a</b>		Application Number	09/320,649
		Filing Date	May 27, 1999
		First Named Inventor	MORI, et al.
		Art Unit	3682
		Examiner Name	L. Footland
Sheet	1	of	1
		Attorney Docket Number	100725-09009

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

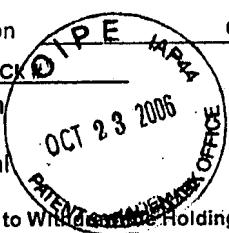
Examiner Signature \_\_\_\_\_ Date Considered \_\_\_\_\_

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code. <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached. AB indicates that only an English language abstract is attached.

Patent  Trademark  Docket No. 100725-09009

Serial No. 09/320,649 Filed May 27, 1999

Applicant(s) Natsuhiko MORI et al

Papers filed herewith on  October 23, 2006

Fees \$ CKD  Assignment (w/PTO-1595 Form)  
 New Application  Declaration  
 Amendment  Priority Document  
 Notice of Appeal  Req. for Ext. of Time  
 IDS/PTO-SB08  Drawing(s)  
 Other Petition to Withdrawal of Holding of Abandonment (3 pgs.); Exhibit A - copy of Private PAIR page from USPTO website; Exhibit B - E-mail communication along with page 8 of Spreadsheet of May 22, 2001

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above-identified case.

GEO:mmg

COMMISSIONER OF PATENTS

EXHIBIT E

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Natsuhiko MORI et al

Serial No.: 09/320,649

Filed: May 27, 1999

Group Art Unit: 3682

Examiner: L. Footland

Atty. Docket No.: 100725-09009

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

October 23, 2006

Sir:

Applicants hereby petition that the holding of abandonment of the above-identified application be withdrawn. It is submitted that the abandonment of the above-identified application resulted from the Patent and Trademark Office's failure to mail the non-final Office Action to the correct address. Since the failure to file a response to the non-final Office Action resulted from a Patent and Trademark Office error, it is respectfully submitted that the withdrawal of the holding of abandonment is proper.

The abandonment of the above-identified application on March 29, 2002, resulted from Applicant's failure to respond to an outstanding non-final Office Action. Applicants did not respond to the non-final Office Action because Applicants never received the non-final Office Action. Applicants' attorneys have made a careful search of the entire file jacket for the subject application and the non-final Office Action was not present. A review of the docket records also indicate that the non-final Office Action was never received.

Attached as Exhibit A is a copy of the private PAIR page from the U.S. Patent and Trademark Office website for the subject application. It is noted that on April 26,

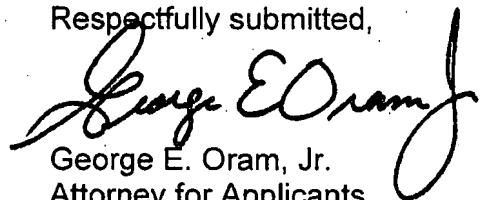
2001, there is a notation stating "Correspondence Address Change". Also on that date there are two separate notations of a "Letter Restarting Period for Response" and "Mail Notice of Restarted Response Period". It is respectfully submitted that the undersigned did not receive either of these papers, although it appears that a change to the correspondence address was received and made of record, prior to these papers being sent out.

In addition, the undersigned submitted by e-mail on or about May 22, 2001, a spreadsheet listing applications for which the undersigned's address was to be changed. Exhibit B is the e-mail correspondence between Margaret Drosos, the patent administrator of Applicants' firm, and Stacy Fuller of the Patent and Trademark Office. Also included is a copy of page 8 of the spreadsheet which lists the above-identified application. Upon submission of the change of address, the Patent and Trademark Office should have changed the mailing address for the above-identified application.

Based upon the facts set forth above, the undersigned attempted to advise the Patent and Trademark Office of its change of address. It appears, however, that this change of address was not entered in the above-identified application and the non-final Office Action was mailed to the undersigned's old address and was never received by the undersigned. Since the undersigned did not receive the non-final Office Action, a response was not filed. Thus it is submitted that the failure to properly respond to the outstanding non-final Office Action resulted from the failure of the Patent and Trademark Office to change the undersigned's address and that the abandonment of the application was a consequence of the Patent and Trademark Office's failure to change the address. It is therefore submitted that withdrawal of the holding or abandonment of the above-identified application is proper and this petition should be granted.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300, referencing Atty. Docket No. 100725-09009.

Respectfully submitted,



George E. Oram, Jr.  
Attorney for Applicants  
Reg. No. 27,931

Customer No.: 004372  
Arent Fox PLLC  
1050 Connecticut Avenue, N.W.  
Suite 400  
Washington, D. C. 20036-5339  
Tel (202) 857-6000  
Fax (202) 638-4810

CMM:mmg

Encls:

Exhibit A Copy of Private PAIR Page from the U.S. Patent and Trademark Office website

Exhibit B E-mail communication along with page 8 of Spreadsheet of May 22, 2001

Patent  Trademark  Docket No. 100725-09009

Serial No. 09/320,649 Filed May 27, 1999

Applicant(s) Natsuhiko MORI et al

Papers filed herewith on February 23, 2007

Fees \$ Ck #  Assignment (w/PTO-1595 Form)  
 New Application  Declaration  
 Amendment  Priority Document  
 Notice of Appeal  Req. for Ext. of Time  
 IDS/PTO-SB08  Drawing(s)  
 Other Petition to Withdraw the Declaration of Abandonment (Second Filing);

Copy of Stamped Postcard Receipt of October 23, 2006; Exhibit A - Copy of Private PAIR  
Page from U.S. Patent and Trademark Office website; Exhibit B - E-mail Communication  
along with page 8 of Spreadsheet of May 22, 2001

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above-identified case.

GEO:mmg

COMMISSIONER OF PATENTS

2007-03-17 F

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Group Art Unit: 3682

Natsuhiko MORI et al

Examiner: L. Footland

Serial No.: 09/320,649

Atty. Docket No.: 100725-09009

Filed: May 27, 1999

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

**PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT  
(SECOND FILING)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

February 23, 2007

Sir:

On October 23, 2006, the undersigned filed a Petition to Withdraw the Holding of Abandonment in the subject application. A copy of the stamped postcard indicating receipt of the Petition by the Patent and Trademark Office on October 23, 2006, is enclosed. As the records of Private PAIR do not show this Petition as being received, it would appear that the Petition has been lost by the Patent and Trademark Office. Included in this submission is the Petition to Withdraw the Holding of Abandonment with Exhibits A and B as filed on October 23, 2006.

Applicants hereby petition that the holding of abandonment of the above-identified application be withdrawn. It is submitted that the abandonment of the above-identified application resulted from the Patent and Trademark Office's failure to mail the non-final Office Action to the correct address. Since the failure to file a response to the non-final Office Action resulted from a Patent and Trademark Office error, it is respectfully submitted that the withdrawal of the holding of abandonment is proper.

The abandonment of the above-identified application on March 29, 2002, resulted from Applicant's failure to respond to an outstanding non-final Office Action.

Applicants did not respond to the non-final Office Action because Applicants never received the non-final Office Action. Applicants' attorneys have made a careful search of the entire file jacket for the subject application and the non-final Office Action was not present. A review of the docket records also indicate that the non-final Office Action was never received.

Attached as Exhibit A is a copy of the private PAIR page from the U.S. Patent and Trademark Office website for the subject application. It is noted that on April 26, 2001, there is a notation stating "Correspondence Address Change". Also on that date there are two separate notations of a "Letter Restarting Period for Response" and "Mail Notice of Restarted Response Period". It is respectfully submitted that the undersigned did not receive either of these papers, although it appears that a change to the correspondence address was received and made of record, prior to these papers being sent out.

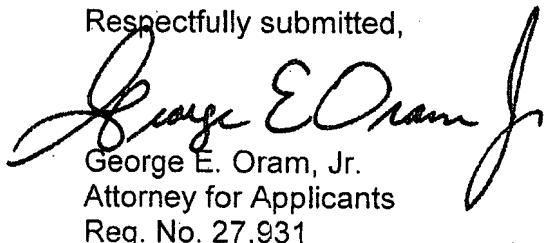
In addition, the undersigned submitted by e-mail on or about May 22, 2001, a spreadsheet listing applications for which the undersigned's address was to be changed. Exhibit B is the e-mail correspondence between Margaret Drosos, the patent administrator of Applicants' firm, and Stacy Fuller of the Patent and Trademark Office. Also included is a copy of page 8 of the spreadsheet which lists the above-identified application. Upon submission of the change of address, the Patent and Trademark Office should have changed the mailing address for the above-identified application.

Based upon the facts set forth above, the undersigned attempted to advise the Patent and Trademark Office of its change of address. It appears, however, that this change of address was not entered in the above-identified application and the non-final Office Action was mailed to the undersigned's old address and was never received by the undersigned. Since the undersigned did not receive the non-final Office Action, a response was not filed. Thus it is submitted that the failure to properly respond to the outstanding non-final Office Action resulted from the failure of the Patent and Trademark Office to change the undersigned's address and that the abandonment of the application was a consequence of the Patent and Trademark Office's failure to change the address. It is therefore submitted that withdrawal of the holding of

abandonment of the above-identified application is proper and this petition should be granted.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300, referencing Atty. Docket No. 100725-09009.

Respectfully submitted,



George E. Oram, Jr.  
Attorney for Applicants  
Reg. No. 27,931

Customer No.: 004372  
Arent Fox PLLC  
1050 Connecticut Avenue, N.W.  
Suite 400  
Washington, D. C. 20036-5339  
Tel (202) 857-6000  
Fax (202) 638-4810

GEO:mmg

Encls:

Copy of Stamped Postcard Receipt of October 23, 2006

Exhibit A Copy of Private PAIR Page from the U.S. Patent and Trademark Office website

Exhibit B E-mail communication along with page 8 of Spreadsheet of May 22, 2001



## Secured Patent Application Information Retrieval

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09/320,649

HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

P

Selected New Case	Application Data	Transactions	Image Filer	Foreign Wrappers	Priority	Addressed To	Attorneys/Agents	Assignments	Publication	Publication Review
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## Transaction History

Date	Transaction Description
03-31-2008	Mail-Petition Decision - Dismissed
03-28-2008	Petition Decision - Dismissed
01-08-2008	Petition Entered
11-14-2007	Mail-Petition Decision - Dismissed
11-13-2007	Petition Decision - Dismissed
02-23-2007	Petition Entered
08-10-2005	Information Disclosure Statement (IDS) Filed
08-10-2005	Information Disclosure Statement (IDS) Filed
08-18-2005	Correspondence Address Change
03-29-2002	Mail Abandonment for Failure to Respond to Office Action
03-28-2002	Abandonment for Failure to Respond to Office Action
→ 04-26-2001	Mail Notice of Restarted Response Period
→ 04-26-2001	Letter Restarting Period for Response (i.e. Letter re: References)
→ 04-26-2001	Correspondence Address Change
→ 04-11-2001	Mail Non-Final Rejection
→ 04-11-2001	Non-Final Rejection
03-23-2001	Information Disclosure Statement (IDS) Filed
03-23-2001	Information Disclosure Statement (IDS) Filed
03-23-2001	Preliminary Amendment
03-28-2001	Date Forwarded to Examiner
03-23-2001	Request for Continued Examination (RCE)
03-23-2001	Workflow - Request for RCE - Finish
03-23-2001	Mail Express Abandonment (During Examination)
03-23-2001	Express Abandonment (during Examination)
03-23-2001	Request for Extension of Time - Granted
03-23-2001	Workflow - Request for RCE - Begin
11-30-2000	Mail Final Rejection (PTOL - 326)
11-30-2000	Final Rejection
09-28-2000	Date Forwarded to Examiner
09-26-2000	Response after Non-Final Action
06-30-2000	Mail Non-Final Rejection
06-29-2000	Non-Final Rejection
04-28-2000	Case Docketed to Examiner in GAU
09-14-1999	Case Docketed to Examiner in GAU
08-26-1999	Application Dispatched from OIPE

EXHIBIT

G

08-25-1999 Application Is Now Complete  
06-24-1999 Notice Mailed--Application Incomplete--Filing Date Assigned  
06-16-1999 IFW Scan & PACR Auto Security Review  
06-04-1999 Initial Exam Team nn

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If you need help:

- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail [EBC@uspto.gov](mailto:EBC@uspto.gov) for specific questions about Patent Application Information Retrieval (PAIR).
- Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).
- If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Natsuhiko MORI et al.

Application No.: 09/320,649

Filed: May 27, 1999

Attorney Dkt. No.: 100725-09009

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

**DECLARATION FOR RENEWED PETITION TO REVIVE UNINTENTIONALLY  
ABANDONED PATENT APPLICATION**

Sir:

I, the undersigned, hereby declare the following:

1. I am a partner of the law firm of Arent Fox, LLP, having an office at 1050 Connecticut Avenue, N.W., Washington, D.C. 20036, and am submitting this Declaration in response to the comments in the first full paragraph on page 2 of the Decision on Petition to Revive Unintentional Abandonment under 37 C.F.R. §1.137(b) dated March 31, 2008.
2. I have been a partner at Arent Fox since January 1, 2000. From before January 1, 1999 through December 31, 1999, I was a partner of Nikaido, Marmelstein, Murray & Oram. I became a partner of Arent Fox effective immediately upon Nikaido, Marmelstein, Murray & Oram merging into Arent Fox on January 1, 2000.
3. At the time the application was filed on May 27, 1999, by virtue of a properly executed Declaration filed on August 19, 1999, I was authorized to file the application and did so. Attached as Exhibit A is a copy of the properly executed Declaration.

4. No effort was made to reply to either the April 11, 2001 mailed Non-Final Office Action or the Notice of Restarted Response Period mailed April 26, 2001 because I never received either document. I believe the April 11, 2001 Office Action, and the April 26, 2001 Notice to Restarted Response Period, were mailed to the wrong address, that is, the address where Nikaido, Marmelstein, Murray & Oram was located prior to moving to the address where Arent Fox is located, despite the fact that the Patent Office noted a change in the correspondence address on April 26, 2001. Attached as Exhibit B is a copy of the PTO Private PAIR Transaction history webpage indicating the dates the above-described documents were mailed in relation to the change in correspondence address. It is believed that this may be the correction of address for Arent Fox. Since Image File is not available for this period of time, I am unable to tell what is there.

5. The delay in this application is not the result of a deliberate course of action (or inaction) on my part because having never received the Office Action, I never knew that the Office Action was mailed on April 11, 2001 for this application after the March 23, 2001 filing of an RCE in the Patent Office. I also never knew that a Notice of Restarted Response Period was mailed on April 26, 2001 after the Office Action because I never received such a document either.

6. The application became abandoned under my control because I never received the documents mailed by the Patent Office in April of 2001. As such, no efforts were made by myself to reply to the documents mailed in April of 2001 by the Patent Office. I did not direct anyone else to reply for the same reasons. Consequently, I had no conversations or correspondence with anyone outside of the attorneys of Arent Fox regarding this patent application and the abandonment thereof.

7. The first correspondence in this application subsequent to the filing of the RCE on March 23, 2001 is a letter from the Japanese Associate Office for this application dated August 1, 2005 requesting that an Information Disclosure Statement be filed. The only other correspondence is our reporting letter telling the Japanese Associate Office that the IDS had been filed on August 10, 2005.

Attached as Exhibit C are both letters.

8. Since Nikaido, Marmelstein, Murray & Oram ceased to exist as a law firm on December 31, 1999, and the application apparently became abandoned on October 26, 2001 while under the responsibility of the attorneys at Arent Fox, I am not aware of anyone at Nikaido, Marmelstein, Murray & Oram that is qualified or skilled enough to make a statement regarding this patent application becoming abandoned.

9. I believe the persons having first hand knowledge of the circumstances surrounding the failure of the Patent Office to properly mail documents to the correct correspondence address, despite having such information, and the patent application becoming abandoned for failure to reply to Patent Office documents that were never received, are myself and Mr. Murat Ozgu.

10. I affirm the statements made in the paragraphs numbered 1 – 8 in the concurrently filed Renewed Petition under 37 C.F.R. 1.137(b).

11. The undersigned Declarant does hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

George E. Oram, Jr.  
Registration Number: 27,931

Date: June 2 2008

Enclosures: Exhibit A Declaration executed by inventors  
Exhibit B PTO Private PAIR webpage  
Exhibit C Letters of August 1 and 10, 2005

## Declaration For U.S. Patent Application

As a below named inventor, I hereby declare that:

As a below named inventor, I hereby declare that:  
My residence, post office address and citizenship are as stated below my name.

My residence, post office address and citizenship: \_\_\_\_\_  
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
(Insert Title) HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

the specification of which is attached hereto unless the following box is checked:

was filed on \_\_\_\_\_ as PCT International Application  
Number \_\_\_\_\_ and was amended on \_\_\_\_\_  
and/or was filed on May 27, 1999 as United States Application  
Number 09/320,649 and was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56. I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International Application having a filing date before that of the application(s) for which priority is claimed:

Priority Claimed  
■ Yes  No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

(Application Number) \_\_\_\_\_ (Filing Date) \_\_\_\_\_  
(Application Number) \_\_\_\_\_ (Filing Date) \_\_\_\_\_

See attached list for additional prior foreign or provisional applications.

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) (U.S. or PCT) in the manner provided by the first paragraph of 35, U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(List prior U.S. Applications or PCT International applications designating the U.S.) (Application Serial No.) (Filing Date) (Status) (patented, pending, abandoned)

(List prior U.S. Applications or PCT International applications designating the U.S.) (Application Serial No.) (Filing Date) (Status) (patented, pending, abandoned)

And I hereby appoint as principal attorneys: David T. Nikaido, Reg. No. 22,663; Charles M. Marmelstein, Reg. No. 25,895; George E. Oram, Jr., Reg. No. 27,931; Robert B. Murray, Reg. No. 22,980; E. Marcie Emas, Reg. No. 32,131; Douglas H. Goldhush, Reg. No. 33,125; Monica Chin Kitts, Reg. No. 36,105; Richard J. Berman, Reg. No. 39,107; King L. Wong, Reg. No. 37,500; Karen K. Costantino, Reg. No. 35,107; James A. Poulos, III, Reg. No. 31,714; Herbert C. Rose, Reg. No. 29,846; and Patrick D. Muir, Reg. No. 37,403.

Please direct all communications to the following address: NIKAIDO, MARMELSTEIN, MURRAY & ORAM LLP  
Metropolitan Square  
655 Fifteenth Street, N.W., Suite 330 - G Street Lobby  
Washington, D.C. 20005-5701  
(202) 638-5000 Fax: (202) 638-4810

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(See Note C  
on back of  
this page) Full name of sole or first inventor Natsuhiko MORI  
Inventor's signature Natsuhiko MORI 27 July, 1990  
Date  
Residence Kuwana-shi, Mie-ken, Japan  
Citizenship Japanese  
Post Office Address c/o NTN Corporation, 3066, Aza Oyumida, Oaza Higashikata, Kuwana-shi, Mie-ken, Japan

Full name of second joint inventor, if any Katsumi NAGANO

Inventor's signature Katsumi NAGANO 27 July, 1999

Date

Residence Tokyo-to, Japan

Citizenship Japanese

Post Office Address c/o NIPPON STEEL CHEMICAL CO., LTD., 31-1, Shinkawa 2-chome, Chuo-ku, Tokyo-to, Japan

Full name of third joint inventor, if any Yoshihiko OEDA

Inventor's signature Yoshihiko OEDA 27 July, 1999

Date

Residence Tokyo-to, Japan

Citizenship Japanese

Post Office Address c/o NIPPON STEEL CHEMICAL CO., LTD., 31-1, Shinkawa 2-chome, Chuo-ku, Tokyo-to, Japan

Full name of fourth joint inventor, if any \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full name of fifth joint inventor, if any \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full name of sixth joint inventor, if any \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full name of seventh joint inventor, if any \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full name of eighth joint inventor, if any \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full name of ninth joint inventor, if any \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_



## Secured Patent Application Information Retrieval

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09/320,649

HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

AP

Select New Case	Application Data	Transaction History	Image/Files	Foreign Wrappers	Address Priority	Assignments	Publication Review
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## Transaction History

Date	Transaction Description
03-31-2008	Mail-Petition Decision - Dismissed
03-28-2008	Petition Decision - Dismissed
01-08-2008	Petition Entered
11-14-2007	Mail-Petition Decision - Dismissed
11-13-2007	Petition Decision - Dismissed
02-23-2007	Petition Entered
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→ 04-11-2001	Non-Final Rejection
03-23-2001	Information Disclosure Statement (IDS) Filed
03-23-2001	Information Disclosure Statement (IDS) Filed
03-23-2001	Preliminary Amendment
03-28-2001	Date Forwarded to Examiner
03-23-2001	Request for Continued Examination (RCE)
03-23-2001	Workflow - Request for RCE - Finish
03-23-2001	Mail Express Abandonment (During Examination)
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11-30-2000	Final Rejection
09-28-2000	Date Forwarded to Examiner
09-26-2000	Response after Non-Final Action
06-30-2000	Mail Non-Final Rejection
06-29-2000	Non-Final Rejection
04-28-2000	Case Docketed to Examiner in GAU
09-14-1999	Case Docketed to Examiner in GAU
08-26-1999	Application Dispatched from OIPE

EXHIBIT

B

08-25-1999 Application Is Now Complete  
06-24-1999 Notice Mailed--Application Incomplete--Filing Date Assigned  
06-16-1999 IFW Scan & PACR Auto Security Review  
06-04-1999 Initial Exam Team nn

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If you need help:

- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail [EBC@uspto.gov](mailto:EBC@uspto.gov) for specific questions about Patent Application Information Retrieval (PAIR).
- Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).
- If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.

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# EHARA PATENT OFFICE

PATENTS, TRADEMARKS, DESIGNS-ESTABLISHED IN 1932

MINORU EHARA 1904-1984

SYOGO EHARA

HIDEYOSHI TANAKA

YOSHIO SHIRAISHI

KUNIHIKO SHIROMURA

TSUYOSHI KUMANO

HIROAKI YAMANE

OSAKA SHOKO BUILDING  
15-26, EDOBORI 1-CHOME, NISHI-KU  
OSAKA 550-0002 JAPAN

TELEPHONE(6)6443-9541

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E-MAIL

info@ehara-pat.gr.jp

August 1, 2005

Arent Fox Kintner Plotkin & Kahn PLLC  
1050 Connecticut Avenue, N.W., Suite 400  
Washington, D.C. 20036-5339  
U.S.A.

RECEIVED

AUG 02 2005

ARENT FOX

Re: U.S. Patent Application No. 09/320,649  
By: MORI et al.  
Your Ref: 100725-09009  
Our Ref: FP99-003US

Dear Sirs,

Enclosed are copies of JP09-217735, JP09-316210, JP08-266007, JP05-255685, JP06-264926, JP09-087652 cited in an Office Action of corresponding Japanese application, which are intended for filing in this case in order to comply with the duty to disclose.

Please proceed with the filing of IDS.

Sincerely yours,  
EHARA PATENT OFFICE

AUG 02 2005

*Syogo Ehara*  
for Syogo Ehara

Enclosures

-1-

EXHIBIT C-1

**Arent Fox**  
ATTORNEYS AT LAW

August 10, 2005

**George E. Oram, Jr.**  
202.828.3455 DIRECT  
202.857.6395 FAX  
oram.george@arentfox.com

Mr. Syogo Ehara  
Ehara Patent Office  
Osaka Shoko Building  
15-26, Edobori 1-chome  
Nishi-ku, Osaka 550-0002, Japan

Re: Information Disclosure Statement  
U.S. Patent Appln. S.N. 09/320,649  
By: MORI, et al.  
Your Ref: FP99-003US  
Our Ref: 100725-09009

Dear Mr. Ehara:

Thank you for your letter of August 1, 2005, enclosing the materials for filing an Information Disclosure Statement in the subject application. Enclosed are two copies of the Information Disclosure Statement which we prepared and filed in the Patent and Trademark Office on August 10, 2005.

Our debit note for services and disbursements in this regard will be sent to you shortly with a billing copy of this letter. We will keep you advised of the progress of this application.

Very truly yours,

**DISCLAIMER ON ORIGINAL**

George E. Oram, Jr.

GEO:mso

Enclosure: Information Disclosure Statement (2)

**EXHIBIT C-2**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Natsuhiko MORI et al.

Application No.: 09/320,649

Filed: May 27, 1999

Attorney Dkt. No.: 100725-09009

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

**DECLARATION FOR RENEWED PETITION TO REVIVE UNINTENTIONALLY  
ABANDONED PATENT APPLICATION**

Sir:

I, the undersigned, hereby declare the following:

1. I am a partner at the law firm of Arent Fox, LLP, having an office at 1050 Connecticut Avenue, N.W., Washington, D.C. 20036, and am submitting this Declaration in response to the comments in the first full paragraph on page 2 of the Decision on Petition to Revive Unintentional Abandonment under 37 C.F.R. §1.137(b) dated March 31, 2008.
2. I have been a partner at Arent Fox since January 1, 2006. From January 1, 2000 through December 31, 2005, I was an associate at Arent Fox. From July 17, 1999 through December 31, 1999, I was an associate at Nikaido, Marmelstein, Murray & Oram. I became an associate at Arent Fox effective immediately upon Nikaido, Marmelstein, Murray & Oram merging into Arent Fox on January 1, 2000.
3. At the time the application was filed on May 27, 1999, by virtue of a properly executed Declaration filed on August 19, 1999, I was authorized to file a reply to the April 11, 2001 mailed Non-final Office Action on behalf of the applicant of the above-identified patent application. Attached as Exhibit A is a copy of the properly executed Declaration.

4. No effort was made to reply to either the April 11, 2001 mailed Non-Final Office Action or the Notice of Restarted Response Period mailed April 26, 2001 because I never received either document. I believe the April 11, 2001 Office Action, and the April 26, 2001 Notice to Restarted Response Period, were mailed to the wrong address, that is, the address where Nikaido, Marmelstein, Murray & Oram was located prior to moving to the address where Arent Fox is located, despite the fact that the Patent Office noted the change in the correspondence address on April 26, 2001. Attached as Exhibit B is a copy of the PTO Private PAIR webpage indicating the dates the above-described documents were mailed in relation to the change in correspondence address.

5. The delay in this application is not the result of a deliberate course of action (or inaction) on my part because having never received the Office Action, I never knew that the Office Action was mailed on April 11, 2001 for this application after the March 23, 2001 filing of an RCE in the Patent Office. I also never knew that a Notice of Restarted Response Period was mailed on April 26, 2001 after the Office Action because I never received such a document either.

6. The application became abandoned under my control because I never received the documents mailed by the Patent Office in April of 2001. As such, no efforts were made by myself to reply to the documents mailed in April of 2001 by the Patent Office. Consequently, I had no conversations with anyone outside of the attorneys of Arent Fox regarding this patent application and the abandonment thereof.

7. Since Nikaido, Marmelstein, Murray & Oram ceased to exist as a law firm on December 31, 1999, and the application apparently became abandoned on October 26, 2001 while under the responsibility of the attorneys at Arent Fox, I am not aware of anyone at Nikaido, Marmelstein, Murray & Oram that is qualified or skilled enough to make a statement regarding this patent application becoming abandoned.

8. I believe the persons having first hand knowledge of the circumstances surrounding the failure of the Patent Office to properly mail documents to the correct correspondence address, despite having such information, and the patent application becoming abandoned for failure to reply to Patent Office documents that were never received, are myself and Mr. George E. Oram, Jr.

9. The undersigned Declarant does hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Murat OZGU  
Registration Number: 44,275

Date: 6/2/08

Enclosures: Exhibit A Declaration executed by inventors  
Exhibit B PTO Private PAIR webpage

## **Declaration For U.S. Patent Application**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below my name.

My residence, post office address and citizenship is \_\_\_\_\_ I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled \_\_\_\_\_

## HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

the specification of which is attached hereto unless the following box is checked:

was filed on \_\_\_\_\_ as PCT International Application  
Number \_\_\_\_\_ and was amended on \_\_\_\_\_  
and/or was filed on May 27, 1999 as United States Application  
Number 09/320,649 and was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as required by 35 U.S.C. §119(e). I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International Application having a filing date before that of the application(s) for which priority is claimed.

Priority Claimed  
■ Yes  No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
(Application Number)	(Filing Date)

See attached list for additional prior foreign or provisional applications.

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) (U.S. or PCT) in the manner provided by the first paragraph of 35, U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(List prior U.S. Applications or PCT International applications designating the U.S.) (Application Serial No.) (Filing Date) (Status) (patented, pending, abandoned)

(Application Serial No.) (Filing Date) (Status) (patented, pending, abandoned)

And I hereby appoint as principal attorneys: David T. Nikaido, Reg. No. 22,663; Charles M. Marmelstein, Reg. No. 25,895; George E. Oram, Jr., Reg. No. 27,931; Robert B. Murray, Reg. No. 22,980; E. Marcie Emas, Reg. No. 32,131; Douglas H. Goldhush, Reg. No. 33,125; Monica Chin Kitts, Reg. No. 36,105; Richard J. Berman, Reg. No. 39,107; King L. Wong, Reg. No. 37,500; Karen K. Costantino, Reg. No. 35,107; James A. Poulos, III, Reg. No. 31,714; Herbert C. Rose, Reg. No. 29,846; and Patrick D. Muir, Reg. No. 37,403.

Please direct all communications to the following address: NIKAIKO, MARMELSTEIN, MURRAY & ORAM LLP  
Metropolitan Square  
655 Fifteenth Street, N.W., Suite 330 - G Street Lobby  
Washington, D.C. 20005-5701  
(202) 638-5000 Fax: (202) 638-4810

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(See Note C  
on back of  
this page) Full name of sole or first inventor Natsuhiko MORI  
Inventor's signature Natsuhiko Mori 27 July, 1999  
Date  
Residence Kuwana-shi, Mie-ken, Japan  
Citizenship Japanese  
Post Office Address c/o NTN Corporation, 3066, Aza Oyumida, Oaza Higashikata, Kuwana-shi, Mie-ken, Japan

Full name of second joint inventor, if any Katsumi NAGANO

Inventor's signature Katsumi NAGANO 27 July, 1999

Date

Residence Tokyo-to, Japan

Citizenship Japanese

Post Office Address c/o NIPPON STEEL CHEMICAL CO., LTD., 31-1, Shinkawa 2-chome, Chuo-ku, Tokyo-to, Japan

Full name of third joint inventor, if any Yoshihiko OEDA

Inventor's signature Yoshihiko OEDA 27 July, 1999

Date

Residence Tokyo-to, Japan

Citizenship Japanese

Post Office Address c/o NIPPON STEEL CHEMICAL CO., LTD., 31-1, Shinkawa 2-chome, Chuo-ku, Tokyo-to, Japan

Full name of fourth joint inventor, if any \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full name of fifth joint inventor, if any \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full name of sixth joint inventor, if any \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full name of seventh joint inventor, if any \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full name of eighth joint inventor, if any \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full name of ninth joint inventor, if any \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_



## Secured Patent Application Information Retrieval

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09/320,649

HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

AP

Selected New Case	Application Data	Transaction History	Image File	Priority Wrappers	Address/Attorney	Assignments	Publication Review
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## Transaction History

Date	Transaction Description
03-31-2008	Mail-Petition Decision - Dismissed
03-28-2008	Petition Decision - Dismissed
01-08-2008	Petition Entered
11-14-2007	Mail-Petition Decision - Dismissed
11-13-2007	Petition Decision - Dismissed
02-23-2007	Petition Entered
08-10-2005	Information Disclosure Statement (IDS) Filed
08-10-2005	Information Disclosure Statement (IDS) Filed
08-18-2005	Correspondence Address Change
03-29-2002	Mail Abandonment for Failure to Respond to Office Action
03-28-2002	Abandonment for Failure to Respond to Office Action
→ 04-26-2001	Mail Notice of Restarted Response Period
→ 04-26-2001	Letter Restarting Period for Response (i.e. Letter re: References)
→ 04-26-2001	Correspondence Address Change
→ 04-11-2001	Mail Non-Final Rejection
→ 04-11-2001	Non-Final Rejection
03-23-2001	Information Disclosure Statement (IDS) Filed
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- *Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).*
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